

**Government of Nepal
Ministry of Urban Development (MoUD)
Department of Local Infrastructure (DoLI)**

**Provincial and Local Roads Improvement
Program (P171836)
(Phase 1)**

[Draft]

**ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN (ESCP)**

1 November 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Nepal (GoN) will implement the **Provincial and Local Roads Improvement Program Phase 1** (the Project), through Department of Local Infrastructure (DoLI) under the Ministry of Urban Development (MoUD), and Participating Provinces, as set out in the Financing Agreement and Project Agreement. The International Development Association (Association or Bank), has agreed to provide financing (P171836) for the Project, as set out in the referred agreement(s).
2. Nepal (Recipient) and Participating Provinces (Project Implementing Entities or PIEs) shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Association. The ESCP is a part of the legal agreements. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement(s).
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Recipient and/or PIEs shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Association. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Association.
4. As agreed by the Association and the Recipient and PIEs, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient through Department of Local Infrastructure, Ministry of Urban Development and the PIEs, and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient [name position of designated official, e.g. minister, director] of DOLI, MOUD and the PIEs. The Recipient shall promptly disclose the updated ESCP.

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
|---|---|--|--|
| MONITORING AND REPORTING | | | |
| A | <p>REGULAR REPORTING</p> <p>Prepare and submit to the Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p> | <p>Every 3 months throughout the Project period. Reports will be shared with the Bank no later than 45 days after the end of each calendar quarter.</p> | <p>CPCU, PPMU</p> |
| B | <p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank of any incident or accident related to the Program which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. For all incidents except (SEA/SH) related, provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/or supervising firm, as appropriate.</p> <p>Subsequently, at the Bank’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p> <p>For SEA/SH incidents related to the Program, provide basic facts such as the age, sex, type of alleged SEA/SH, if the alleged perpetrator was attached to the project and whether the survivor was referred to GBV support services, with no specific detail information that would reveal the identity of the survivor. All SEA/SH incident reports will be anonymized to the extent possible.</p> | <p>Notify the Bank no later than 48 hours after learning of the incident or accident.</p> <p>A preliminary report on action taken will be provided within 7 days, and a detailed report will be provided within a month after learning of the incident or accident, or any other timeframe acceptable to the Bank, as requested.</p> | <p>CPCU, PPMU, IDO, LLTU</p> |
| C | <p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Ensure contractors and supervising firms will provide monthly monitoring reports on ESHS performance to the IDO/LLTU in accordance with the metrics specified in the respective bidding documents and contracts.</p> <p>Submit such reports to the World Bank as requested.</p> | <p>Submit the monthly reports to the PPMU/IDO, LLTU .</p> <p>Upon Request by the World Bank Throughout Project implementation requested .</p> | <p>LLTU, IDO, PPMU, CPCU</p> <p>CPCU</p> |
| ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS | | | |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| 1.1 | <p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a CPCU with an Environmental Expert and a Social Development Expert, to support management of E&S risks and impacts of the Program throughout the Program implementation. Similarly, the PPMUs will be established with an Environmental Officer and a Social Development Officer to support management of E&S risks at the provincial and local level throughout the Program implementation.</p> <p>Gender and GBV specialist will be hired, as necessary.</p> <p>Social Mobiliser(s) will be hired at IDOs, as and when required.</p> <p>As necessary, additional E&S specialists will be hired at IDO.</p> | <p>(i) Establish and maintain a CPCU as set out in the financing agreement. One Environmental Expert and one Social Development Expert will be hired by CPCU prior to signing of financing agreement.</p> <p>One Environmental Officer and One Social Officer at PPMUs will be hired prior to signing of financing agreement.</p> <p>The organization structure, including the environmental and social specialists, shall be maintained throughout Program implementation.</p> | CPCU, PPMU, IDO |
| 1.2 | <p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Prepare, adopt and implement an Environmental and Social Management Framework (ESMF) for the Program, consistent with the relevant ESSs.</p> <p>2. Screen the proposed sub-projects under the Program in accordance with the Program ESMF and, where relevant, prepare corresponding Environmental and Social Impact Assessment (ESIA), and/or Environmental and Social Management Plan (ESMP), as set out in the ESMF. The proposed activities requiring additional detailed studies, assessments and timeline will be implemented in subsequent phases.</p> | <p>1. The draft ESMF is prepared and will be disclosed prior to appraisal commencement.</p> <p>2. Draft ESMF will be consulted upon, approved and adopted prior to negotiation, and thereafter implement the ESMF throughout Program implementation.</p> <p>3. For each subproject, adopt the ESMP before launching the bidding process for the respective subproject and thereafter implement the respective ESMP throughout implementation of the respective subproject.</p> | <p>CPCU, PPMU</p> <p>CPCU, PPMU, IDO, LLTU</p> |

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| 1.3 | <p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant subproject ESMPs and other E&S instruments, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Ensure that GBV/SEA/SH codes of conduct are included in service providers tender documents in accordance with national laws and the Bank ESF requirements. Thereafter ensure that the contractors and supervising firms have the necessary capacity to comply with the ESHS specifications of their respective contracts and Program’s Labor Management Procedures throughout their contract.</p> <p>The Contractors prepare and implement Contractor-ESMPs (C-ESMPs). The cost for additional mitigation measures identified during the field verification will be covered by the contingency provisional sum in the contract for the sub-projects proposed for the first year investment .</p> | <p>During preparation of procurement documents and respective contracts.</p> <p>Ensure that contractors comply with relevant aspects of ESCP, ESMF and specific E&S plans or instruments throughout Program implementation.</p> <p>C-ESMPs prepared by the contractors prior to site mobilization; and reviewed and cleared by PPMU/IDO/LLTU, implement throughout contract period.</p> | <p>PPMU, IDO, LLTU,</p> <p>CPCU, PPMU, IDO, LLTU</p> |
| 1.4 | <p>PERMIT, CONSENTS AND AUTHORIZATIONS</p> <p>As appropriate, obtain required permits, consents, licenses, no-objections, and authorizations, including tree -felling permit, environmental licenses and work permits that are applicable to the subproject from relevant national and/or local authorities, and comply with the conditions thereunder.</p> | <p>Obtain required permits, consents, licenses, no-objections, or authorization, prior to carrying out any subproject or subproject activity, and comply with the conditions thereunder throughout the implementation of such subproject.</p> | <p>CPCU, PPMU, IDO, LLTU</p> |
| 1.5 | <p>CONTINGENT [EMERGENCY] [EARLY] RESPONSE FINANCING</p> <p>a) Ensure that the CERC Manual as specified in the Financing Agreement includes a description of the ESHS assessment and management arrangements including, any CERC-ESMF/ESMF Addendum that will be included or referred to in the CERC Manual for the implementation of component 5 CERC, in accordance with the ESSs.</p> | <p>The adoption of the CERC manual and, if applicable, other instruments, as relevant in form and substance acceptable to the World Bank is a withdrawal condition under Section [XX] of Schedule 2 of the financing agreement for the Program.</p> | <p>MOF, CPCU</p> |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| | b) Adopt any environmental and social (E&S) instruments which may be required for activities under CERC component 5 of the Project, in accordance with the CERC Manual and, if applicable, CERC-ESMF or CERC-ESMF Addendum and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments. | b) Adopt any required E&S instrument and include it as part of the respective bidding process, if applicable, and in any case, before the carrying out of the relevant Program activities for which the E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Program implementation. | |
| 1.6 | Undertake periodic assessments of implementation of ESMF, based on a comprehensive methodology to be developed under the Program, and update/revise the frameworks. Updated ESMF will be further consulted, redisclosed and will be cleared by the Bank. The learnings and results will inform the design of the subsequent phases of the PLRIP. | During implementation of first year investment, mid-term and end of the project. | CPCU |
| ESS 2: LABOR AND WORKING CONDITIONS | | | |
| 2.1 | LABOR MANAGEMENT PROCEDURES Adopt and implement the Labor Management Procedures (LMP) for the Program, including, inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (OHS) (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms. | Draft LMP will be consulted, approved, adopted, prior to negotiation, and thereafter implement the LMP throughout Program implementation. | CPCU, PPMU, IDO, LLTU, |
| 2.2 | GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2. | Establish grievance mechanism prior to engaging project workers and thereafter maintain and operate it throughout Program implementation. A separate GRM will be constituted to address SEA/SH risks. | CPCU, PPMU, IDO, LLTU |
| ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT | | | |
| 3.1 | WASTE MANAGEMENT PLAN Measures to effectively manage wastes and hazardous materials will be identified and included as part of the specific ESIA/ESMPs to be prepared under action 1.2, managed as per the minimum standards stipulated in the Program ESMF consistent with ESS3. | Prior to launching the bidding process and throughout Program implementation. | PPMU, IDO, LLTU |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| 3.2 | RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Feasible measures (financial and technical) for improving efficiency in consumption of energy and water, as well as other resources and material inputs will be identified through the specific ESIA, ESMPs to be prepared under action 1.2. | Prior to launching the bidding process and throughout Program implementation. | PPMU, IDO, LLTU |
| ESS 4: COMMUNITY HEALTH AND SAFETY [| | | |
| 4.1 | TRAFFIC AND ROAD SAFETY Incorporate measures to manage traffic and road safety risks in C-ESMPs as required in the Subproject ESMP to be prepared under action 1.3 above. | After contract signing with selected contractors and thereafter implement throughout subproject implementation. | PPMU, IDO, LLTU |
| 4.2 | COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Program activities , including, inter alia, new construction e.g., behavior of Project workers, risks of labor influx, response to emergency situations, and include mitigation measures in the C-ESMPs to be prepared in accordance with the subproject specific ESMP . | After contract signing with selected contractors and thereafter implement throughout subproject implementation. | PPMU, IDO, LLTU |
| 4.3 | SEA AND SH RISKS Adopt and implement a SEA/SH Action Plan for the Program to assess and manage the risks of SEA and SH. | Prepare and adopt the SEA/SH Action Plan prior to appraisal, and thereafter implement the SEA/SH Action Plan throughout Program and subproject implementation. | CPCU, PPMU, IDO, LLTU, |
| 4.4 | EMERGENCY RESPONSE MEASURES: Prepare, adopt, and implement Emergency Response Plans to address emergency events, if recommended by subproject specific E&S assessment/ ESIA, as part of subproject ESMPs for implementation. | Prior to issuance of bids for corresponding subproject/activities, and thereafter implement the measures throughout the subproject implementation. | PPMU, IDO, LLTU |
| ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT below] | | | |
| 5.1 | RESETTLEMENT POLICY FRAMEWORK Adopt and implement a Resettlement Policy Framework (RPF) for the Program, consistent with ESS5. | Draft RPF is prepared and will be disclosed by appraisal. Draft RPF will be consulted, revised, re-disclosed and adopted prior to program effectiveness and thereafter implement the RPF throughout Program implementation. | CPCU, PPMU, IDO, LLTU |
| 5.2 | As defined in the VLD Protocol developed as part of the RPF, VLD will be used only in specific circumstances. Each case of VLD will be subject to approval of the Bank. | Prior to invitation of bids | CPCU/PPMU/LLTU |
| 5.3 | Undertake periodic assessments of implementation of RPF, based on a comprehensive methodology to be developed under the Program, and update/revise the frameworks. The learnings and results will inform the design of the subsequent phases of the PLRIP. | During preparation and implementation of first year investment, mid-term and end of the project | CPCU |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| 5.4 | <p>RESETTLEMENT ACTION PLANS</p> <p>Prepare, adopt and implement a resettlement action plan (RAP) for each activity/subproject under the Program for which the RPF requires such RAP, as set out in the RPF, and consistent with ESS5. All costs for implementation of RAP will be met through counterpart funding.</p> | Prepare, adopt RAPs for each subproject prior to invitation of bids and complete payment of compensation and resettlement assistance before taking possession of the lands. | CPCU, PPMU, IDO, LLTU |
| 5.5 | <p>Set up dedicated fund Budget allocation for land acquisition and resettlement cost</p> | <p>Prior to Invitation for Bids.</p> <p>Each financial year as part of Annual Work Plan and Budget Allocation and maintain throughout program implementation</p> | CPCU, PPMU/LLTU MoPID |
| 5.6 | <p>Resettlement Action Plans for first year investments: In case of sub-projects in advance stage of preparation and/or land acquisition including VLD, a Third-Party will review the process for consistency with the RPF and prepare retrospective resettlement action plans, if needed.</p> | Prepare and implement required retrospective RAPs prior to taking possession of the lands and/or initiation of civil works. | CPCU/PPMU/LLTU |
| ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES | | | |
| 6.1 | <p>BIODIVERSITY RISKS AND IMPACTS</p> <p>Screen, identify and manage risks and impacts on biodiversity as per procedures presented in the ESMF, avoidance measures are to be applied via respective design where possible and all ESIA/ESMPs/ Biodiversity Management Plan (BMP) to be prepared under action 1.2 will include measures in line with the management of risks and impacts to biodiversity presented in the ESMF consistent with ESS6.</p> | <p>Prior to launching the bidding process and maintained during construction.</p> <p>Applicable throughout Program implementation.</p> | CPCU, PPMU, IDO, LLTU |
| ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES | | | |
| 7.1 | <p>INDIGENOUS PEOPLES PLANNING FRAMEWORK</p> <p>Prepare, adopt and implement an Indigenous Peoples Planning Framework (IPPF) as part of the draft ESMF for the Program, consistent with ESS7</p> | Draft IPPF will be consulted, revised, re-disclosed and adopted prior to negotiation and thereafter implement the IPPF throughout Program implementation. | CPCU, PPMU |
| 7.2 | <p>INDIGENOUS PEOPLES PLAN</p> <p>Prepare, adopt and implement an Indigenous Peoples Plan (IPP) for subprojects under the Program for which the IPPF requires such IPP, as set out in the IPPF, and consistent with ESS7.</p> | <p>Prior to commencement of works.</p> <p>Once adopted, implement the respective IPP throughout Program implementation.</p> | CPCU, PPMU, IDO, LLTU |
| ESS 8: CULTURAL HERITAGE | | | |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| 8.1 | <p>CULTURAL HERITAGE RISKS AND IMPACTS</p> <p>Prepare, adopt and implement a Cultural Heritage Management Plan (CHMP) as part of the subproject ESMP, in accordance with the guidelines of the ESMF/ESIA prepared for the Program, and consistent with ESS8.</p> | Prepare and adopt the CHMP prior to commencement work, and thereafter implement the CHMP throughout subproject implementation. | PPMU, IDO, LLTU |
| 8.2 | <p>CHANCEFINDS</p> <p>Describe and implement the chance finds procedures, as part of the ESMF and subproject ESMP.</p> | Before implementation of the subprojects describe the chance find procedures in the subproject ESMP. Implement the procedures throughout subproject implementation. | CPCU, PPMU, IDO, LLTU |
| ESS 9: FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Financial Intermediaries (FIs).] | | | |
| 9.1 | Not relevant. No financial intermediary is involved. | | |
| ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE | | | |
| 10.1 | <p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Prepare, adopt and implement a Stakeholder Engagement Plan (SEP) for the Program, consistent with ESS10, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation, and reporting back to stakeholders on SEP during implementation. Review and update SEP, as and when required.</p> | Prepare, consult, disclose and adopt SEP prior to negotiations, and thereafter implement the SEP throughout Program implementation. | CPCU, PPMU, IDO and LLTU |
| 10.2 | <p>PROGRAM GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible grievance mechanism as mentioned in SEP, to receive and facilitate resolution of concerns and grievances in relation to the Program, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p> <p>The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner. A GBV service provider will be procured to directly manage, facilitate, and provide support services.</p> | Establish the grievance mechanism through constitution of members of GRCs and notification, written procedure prior to Program effectiveness and thereafter maintain and operate the mechanism throughout Program implementation. | CPCU, PPMU, IDO and LLTU |

| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY |
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| CAPACITY SUPPORT | | | |
| CS1 | <p>Based on the E&S Capacity Assessment, the following types of training (shall be conducted)</p> <p>Training to be provided and targeted groups for example, training may be required for [e.g. CPCU,PPMU,IDO, LLTU staff,] on:</p> <ul style="list-style-type: none"> • ESMF, RPF, IPPF, LMP, SEP • National requirements (EIA/IEE/BES) • Environmental and social risks and impacts monitoring. • Record-keeping, documentation and reporting, including on the GRM. • Stakeholder mapping and engagement • Specific aspects of environmental and social assessment in road projects • GBV/SEA/SH and gender • Emergency preparedness and response • Community health and safety. | <p>Within 1 month of Program effectiveness and repeated as needed.</p> <p>Throughout Program Implementation</p> | CPCU, PPMU, IDO, Consultants |
| CS2 | <p>Training for Contractors and labours on occupational health and safety including on emergency prevention and preparedness and response arrangements to emergency situations</p> <p>(i) Occupational health and safety (OHS);</p> <p>(ii) Labor management procedures (LMP);</p> <p>(iii) Emergency prevention and preparedness and response arrangements to emergency situations; and</p> <p>(iv) Prevention of gender-based violence and sexual exploitation and abuse, sexual harassment</p> <p>(v) Chance find procedures for archaeological asset</p> | <p>At contract mobilization and repeated during Program implementation as needed.</p> | CPCU, PPMU, IDO, Consultants |